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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,	)	No. CR 10-00153-JF
	)	
12 Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
13 v.	)	<b>HEARING; [PROPOSED] ORDER</b>
	)	
14 DAVID BOYER PRINCE,	)	
	)	
15 Defendant.	)	
_____	)	

16 Defendant and the government, through their respective counsel, hereby stipulate that,  
17 subject to the court's approval, the hearing date in the above-captioned matter, presently  
18 scheduled for Thursday, August 26, 2010 at 9:00 a.m., be continued to Thursday, September 9,  
19 2010, at 9:00 a.m. The continuance is requested to allow the defense time for preparation as well  
20 as to allow the parties time to complete their discussions concerning possible resolution of the  
21 matter.

22 The parties further agree and stipulate that time should be excluded from and including  
23 August 26, 2010 through and including September 9, 2010, pursuant to Speedy Trial Act, 18  
24 U.S.C. §3161(h)(8)(A) and (B)(iv). Accordingly, the United States and the defendant agree that

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1 granting the requested exclusion of time will serve the interest of justice and outweigh the  
2 interest of the public and defendant in a speedy trial.

3 Dated: 8/25/10

/s/  
\_\_\_\_\_  
NICHOLAS P. HUMY  
Assistant Federal Public Defender

5 Dated: 8/25/10

/s/  
\_\_\_\_\_  
JOSEPH FAZIOLI  
Assistant United States Attorney

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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 10-00153-JF  
12 )  
13 Plaintiff, ) **STIPULATION TO CONTINUE**  
14 ) **HEARING; [PROPOSED] ORDER**  
15 v. )  
16 DAVID BOYER PRINCE, )  
17 )  
18 Defendant. )

19  
20 **[PROPOSED] ORDER**

21 The parties have jointly requested a continuance of the status hearing set for August 26,  
22 2010, to allow the defense time for preparation.

23 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
24 presently set for August 26, 2010, be continued to September 9, 2010 at 9:00 a.m. as well as the  
25 period of delay from August 26, 2010, to and including September 9, 2010, be excluded for  
26 purposes of Speedy Trial Act computations pursuant to Title 18, United States Code, Sections  
3161(h)(8)(A) and 3161(h)(8)(B)(iv).

Dated: 8/27/10

  
JEREMY FOGEL  
United States District Judge